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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

THE NETHERLANDS INSURANCE)
COMPANY,)

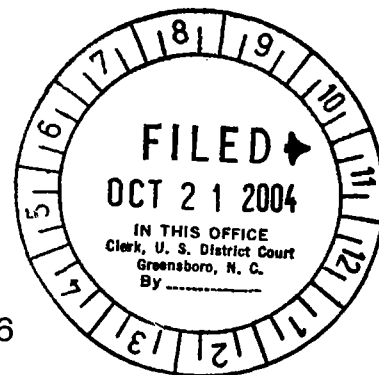
Plaintiff,)

v.)

BILLY WAYNE COCKMAN, AMY)
MELISSA THOMPSON, CARRIE)
THOMPSON, MIDLAND DELIVERY)
SERVICE, INC., and TRAVELERS)
INDEMNITY COMPANY,)

Defendants.)

1:03CV916

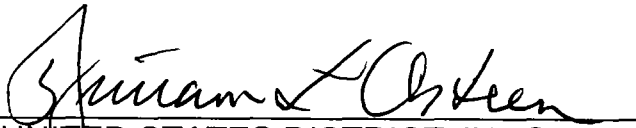


J-U-D-G-M-E-N-T

On September 21, 2004, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED AND ADJUDGED that this action be **DISMISSED** without prejudice to the parties to litigate in the pending state court action the insurance coverage issues. The Plaintiff's motion to dispense with mediation (docket no. 30-1) is **MOOT**.


UNITED STATES DISTRICT JUDGE

October 21, 2004